

Application No. 09/061,441
Supplemental Response dated August 26, 2004
to Office Action of 02/26/2004

REMARKS

With respect to Sections 3-5 of the Official Action, Applicant understood in view of the statement at Page 3, lines 1-4, that the Official Action was contending that Bruckert et al Patent 6,018,651 did not have an amplifier in the second receiving path corresponding to amplifier 135. Since, however, Applicant pointed out in his response that the amplifier 139 in the second receiving path exactly corresponded to amplifier 135 in the first receiving path, Applicant considered that it was apparent that the combination of Bruckert and George 3,636,453, or Bruckert, George and Robinson 5,138,277, would not be relevant to claims 36 and 38-40, or claim 37, since none of the references teach the basic relationships of base claim 35 comprising a receiver diversity architecture wherein for a given incoming radio signal the first and second receiving paths are respectively selectable to provide respective different signal processing characteristics for the given incoming radio signal.

As stated in Applicant's original response, claims 35- 40 relate to the provision in the respective claimed combinations of plural signal receiving paths of different signal processing characteristics in diversity architecture receiving circuitry wherein for a given incoming radio signal the first and second receiving paths are respectively selectable to provide respective different signal processing characteristics for the given incoming radio signal. The Bruckert patent points the art away from the present claims, in teaching switched diversity systems utilizing receiving paths of the same signal processing characteristics, and the secondary references George and Robinson do not change the clear teaching of Bruckert. There is no basis in the references for applying George to only one of the two identical amplifiers 135 and 139 of Bruckert, and any such proposal is clearly based on impermissible hindsight using Applicant's own teaching as prior art.

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The new claims 41-44 include the limitations of original claim 35, for example, and are respectfully submitted to clearly patentably distinguish from Bruckert for the same reasons as explained above for original claim 35, and to clearly patentably distinguish over Bruckert, George and Robinson for the reasons discussed with respect to claims 36-40.

GENERAL AUTHORIZATION UNDER 37 CFR 1.136(a)(3)

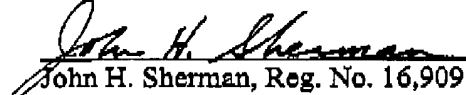
The Patent and Trademark Office is hereby authorized to treat this or any future reply, requiring a petition for an extension of time, as incorporating a petition for extension of time for the appropriate length of time.

The Patent and Trademark Office is hereby authorized to charge fees under 37 CFR 1.17 to deposit account 14-1190.

CONCLUSION

In view of the Amendment and Response heretofore filed by facsimile on August 26, 2004, and the present supplementary remarks, a Notice of Allowance is courteously solicited.

Respectfully submitted,


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